

FILED

MAY 28 2010

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Richard Dean CLARK,

Petitioner,

v.

Vince CULLEN, Acting Warden of San Quentin
State Prison,

Respondent.

Case Number 5-97-cv-20618-JW

DEATH-PENALTY CASE

ORDER RESCHEDULING BRIEFING
OF PETITIONER'S DISCOVERY
MOTION

[Docs. Nos. 464 & 466]

Petitioner requests an extension of time to file his motion for discovery. Good cause appearing therefor, the Court grants the requests, (Docs. Nos. 464 & 466), and adopts the following schedule.

(1) Petitioner shall move for discovery on or before May 24, 2010.

(2) Petitioner shall file his traverse and Respondent shall file any opposition to the motion for discovery on or before July 12, 2010.

(3) Petitioner shall file any reply to the motion for discovery on or before August 2, 2010.

Unless otherwise ordered, the Court will take the motion for discovery under submission without oral argument upon the filing of the reply brief or the expiration of the time to file a reply brief. The Court subsequently will schedule the briefing of motions for an evidentiary hearing and summary judgment.

It is so ordered.

DATED: May 24, 2010


JAMES WARE

United States District Judge